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AN ACT

FOR THE

INSPECTION OF GAS METERS,

THE

PROTECTION OF GAS CONSUMERS,

AND THE

PROTECTION AND REGULATION OF GAS LIGHT COMPANIES.

C

Wright & Potter, Mar. 26, 1861.

14773

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty-One.

AN ACT

FOR THE INSPECTION OF GAS METERS, THE PROTECTION OF GAS CONSUMERS, AND THE PROTECTION AND REGULATION OF GAS LIGHT COMPANIES.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

SECT. 1. The governor shall, with the advice and consent of the council, appoint an Inspector of Gas Meters and of Illuminating Gas, whose office shall be in the city of Boston, and whose duty it shall be when required, as is hereinafter provided, to inspect, examine, prove, and ascertain the accuracy of any and all gas meters to be used for measuring the quantity of illuminating gas to be furnished to or for the use of any person or persons, and when found to be correct, to seal, stamp, or mark all such meters, and each of them, with some suitable device, and with his name, the date of his inspection, and the number of burners it is calculated to supply. Such device shall be recorded in the office of the secretary of the Commonwealth.

SECT. 2. He shall hold his office for the term of three years from the time of his appointment, and until

the appointment of his successor, but may be removed by the governor and council at their pleasure, and he shall receive an annual salary of three thousand dollars, which shall include his office-rent and expenses, to be paid out of the treasury on the warrant of his excellency the governor. Such inspector shall not in any way or manner, directly or indirectly, be interested pecuniarily in the manufacture or sale of illuminating gas or gas meters, or of any article or commodity used by gas light companies, or for any purpose connected with the consumption of gas, or with any gas company; and shall not give certificates or written opinions to any maker or vender of any meter, or of any such article or commodity; and he shall be duly sworn to the faithful performance of his duties, and shall give bonds in the sum of five thousand dollars for the faithful discharge of the same: *provided, however*, that no warrant shall be drawn for the whole or any part of the salary of said commissioner for any larger amount than may have been actually paid into the treasury of the Commonwealth.

SECT. 3. Said inspector shall, within three months after his appointment, furnish to the treasurer and receiver-general a list of all the gas light companies in operation in the Commonwealth; and his salary for the year then commenced, and annually thereafter, shall be assessed and paid into the treasury of the Commonwealth by the several gas light companies in this Commonwealth, in amounts proportionate to their appraised valuation, as declared in the returns required in the General Statutes of this Commonwealth, chapter sixty-eight, section twenty; and in case such gas light companies, or any or either of them, shall refuse or

neglect to pay into the treasury the amount or portion of said salary which shall be by said treasurer required of them respectively, for the space of thirty days after written notice given by said treasurer to them respectively, to make such payment, then the said treasurer shall institute an action in the name of, and for the use of, the Commonwealth, against any such delinquent gas light company for their said portion or amount of such salary, with interest thereon at the rate of ten per centum per annum, from the time when said notice to make such payment was given, and the costs of the action.

SECT. 4. Whenever the inspector shall find himself unable to attend to his duties in any city or town of any county, he shall appoint temporarily, and for such time as he may deem expedient, one or more deputy-inspectors of meters for such county, who shall act under his direction; they shall be duly sworn to the faithful performance of their duties, and shall not in any manner be connected with or employed by any gas company, and shall be subject to the same disabilities as are set forth in section second, and shall be paid by fees for examining, comparing, and testing gas meters, with or without stamping them, which fees shall be twenty-five cents for each meter delivering a cubic foot of gas in four or more revolutions, vibrations, or complete repetitions of its action, and thirty cents for each meter delivering a cubic foot of gas in any less number of revolutions as heretofore described, and for each meter thus delivering more than one cubic foot of gas as before-named the further sum of twenty cents for every additional cubic foot of gas delivered: *provided, however*, that in all cases of inspection by the deputy-

inspector the gas company or consumer may appeal to the state inspector from the deputy-inspector's decision.

SECT. 5. The standard or unit of measure for the sale of illuminating gas by meter shall be the cubic foot, containing sixty-two and three hundred twenty-one one-thousandth pounds avoirdupois weight of distilled or rain-water, weighed in air of the temperature of sixty-two degrees Fahrenheit scale, the barometer being at thirty inches.

SECT. 6. No meter shall be set after the first day of October, eighteen hundred and sixty-one, unless it be sealed and stamped in the manner required by this act.

SECT. 7. There shall be provided at the expense of the gas companies of the Commonwealth, at the office of the inspector, a standard measure of the cubic foot, and such other apparatus as in his judgment shall be necessary for the faithful performance of the duties of his office.

SECT. 8. Every gas light company with a capital paid in of one hundred thousand dollars, or more, and every maker and vender of meters, shall set up at some convenient place upon their premises a gas-holder, to be tested, and if correct stamped and sealed, containing five or more cubic feet, by means of which meters shall be tested at the average pressure at which gas is supplied in the city or town where they are to be used; attention being paid to the temperature of the room where the trial is made, of the apparatus, and of the gas. There shall be provided by every gas light company, a test meter of a construction approved by the inspector and stamped by him, to be used in cities and towns where no test gas-holders are provided,

or whenever proving by a gas-holder is impracticable or inconvenient. In the examination of a meter the inspector shall see that it is of an approved principle, and shall give his particular attention to the measure of the dial-plate; he shall prove the meter when set level, and for each burner which the manufacturer has stamped it to register, it shall be capable of passing gas accurately at the rate of six cubic feet per hour; and no dry meter shall be stamped correct which varies more than two per cent. from the standard measure of the cubic foot, and no wet meter shall be stamped correct, which is capable of registering more than two per cent. against the consumer, and five per cent. against the company. He shall keep at his office a correct record of all meters inspected by him, with their proof at the time of inspection, which record shall be open at all times for examination by the officers of any gas light company in this Commonwealth.

SECT. 9. Meters in use shall be tested on the request of the consumer, or the gas light company, in the presence of the consumer if desired, with sealed apparatus, as provided for in section eight, by the inspector or deputy-inspector. If the meter is found to be correct, the party requesting the inspection shall pay the fees named in section four, and the expense of removing the same for the purpose of being tested, and the re-inspection shall be stamped on the meter. If proved incorrect, the gas light company shall pay such expenses, and shall furnish a new meter without any charge to the consumer.

SECT. 10. Illuminating gas shall not be merchantable in this Commonwealth which has a minimum value of less than twelve candles; that is, a burner

consuming five cubic feet per hour shall give a light as measured by the photometric apparatus in ordinary use, of not less than twelve standard sperm candles, each consuming one hundred and twenty grains per hour. Every gas is to be tested with the burner and under the pressure best adapted to it, and the result shall be calculated at a temperature of sixty degrees Fahrenheit. Whenever requested by the mayor and aldermen of any city, or the selectmen of any town, the inspector shall report to them whether the gas supplied in the respective city or town is of the legal standard, and also whether it is sufficiently well purified from sulphuretted hydrogen, ammonia, and carbonic acid.

SECT. 11. Any officer or servant of a gas light company, duly authorized in writing by the president, treasurer, agent, or secretary of said company, may at any reasonable time, enter any premises lighted with gas supplied by such company, for the purpose of examining, or removing the meters, pipes, fittings, and works for supplying or regulating the supply of gas, and of ascertaining the quantity of gas consumed or supplied, and if any person shall at any time, directly or indirectly, prevent or hinder any such officer or servant from so entering any such premises, or from making such examination, or removal, such officer or servant may make complaint under oath to any justice of the peace of the county wherein such premises are situated, stating the facts in the case so far as he has knowledge thereof, and the said justice may thereupon issue a warrant directed to the sheriff or either of his deputies, or to any constable of the city or town where such company is located, commanding him to take

sufficient aid and repair to said premises, accompanied by such officer or servant who shall examine such meters, pipes, fittings, and works for supplying or regulating the supply of gas, and of ascertaining the quantity of gas consumed or supplied therein, and if required remove any meters, pipes, fittings, and works belonging to said company.

SECT. 12. If any person or persons supplied with gas neglects or refuses to pay the amount due for the same, or for the rent of the meter or other articles hired by him or them of the company, such company may stop the gas from entering the premises of such person or persons. In such cases the officers, servants, or workmen of the gas light company, may, after twenty-four hours' notice, enter the premises of such parties, between the hours of eight in the forenoon and four in the afternoon, and separate and take away such meter, or other property of the company, and may disconnect any meter, pipes, fittings, or other works, whether the property of the company or not, from the mains or pipe of the company.

SECT. 13. Every person who wilfully or fraudulently, injures, or suffers to be injured, any meter, pipes, or fittings belonging to any such gas light company, or prevents any meter from duly registering the quantity of gas supplied through the same, or in any way hinders or interferes with its proper action or just registration, or fraudulently burns the gas of said company, or wastes the same, shall for every such offence, forfeit and pay to the company not more than one hundred dollars, to be recovered in an action of tort to be brought by the company against such offender, and in addition thereto, shall pay the com-

pany the amount of damage by them sustained by reason of such injury, ,prevention waste, consumption, or hinderance.

SECT. 14. Every person who attaches any pipe to any main or pipe belonging to any such gas light company, or otherwise burns, or uses, or causes to be used, any gas supplied by said company, without their written consent, unless the same passes through a meter set by the company, shall forfeit and pay to said company the same fine and in the same manner as declared in section thirteen.

SECT. 15. This act shall apply to all companies who manufacture gas for sale, and shall take effect July first, eighteen hundred and sixty-one.

Approved April 10, 1861.

